

SPECIAL PLANNING COMMISSION MEETING

Thursday, March 31, 2016 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: David Driggs, Chair, Presiding
Commission Members: Jared Anderson, John Dredge, Brian Miller, LoriAnne Spear
Absent/Excused: Craig Clement, Jeff Dodge, Steven Thomas
Chandler Goodwin, Assistant City Manager
Daniel Zappala, City Council Liaison
Courtney Hammond, Transcriptionist
Others: Gary Gygi, Chris Bramwell, Mr. Smart

PLANNING COMMISSION MEETING

1. This special meeting of the Planning Commission of the City of Cedar Hills, Utah, having been properly noticed, was called to order at 7:07 p.m. by C. Driggs.

2. Public Comment

No comments.

PUBLIC HEARING

- Amendments to Title 10, Chapter 5, Regarding Conditional Use Permits

No comments.

- Amendments to the Guidelines for the Design and Review of Planned Commercial Development Projects

No comments.

Brian Miller and Jared Anderson were recognized as voting members.

MOTION: C. Driggs—To close the public hearing. Seconded by C. Dredge.

Yes - C. Anderson
C. Dredge
C. Driggs
C. Miller
C. Spear Motion passes.

SCHEDULED ITEMS

3. Approval of Minutes from the January 26, 2016 Planning Commission Meeting

C. Dredge asked that the first name of C. Anderson be included in the minutes. There was also one incidence where C. Dodge was referred to as D. Dodge. That should be amended.

MOTION: C. Spear—To approve the minutes. Seconded by C. Dredge.

Yes - C. Anderson
C. Dredge
C. Driggs

C. Miller
C. Spear Motion passes.

4. Review/Recommendation of Amendment to Title 10, Chapter 5, Regarding Conditional Use Permits

Chandler Goodwin stated that Meg Ryan conducted training on conditional use as it pertains to municipal code. The Cedar Hills code has identified about 15 items that are listed as conditional. Some of these uses should be permitted, as long as the requirements are met, rather than conditional. For conditional uses, standards must be adopted to guide evaluation. It is with that in mind that Title 10-5-36 as drafted. It has been reviewed by Meg Ryan. She suggested that the standards be set by code, but not the conditions, because the conditions to meet the set standards may vary per application. The proposed code addresses residential uses. Another set of standards for the commercial zone needs to be set up. There are certain noticing requirements, but the city also notifies the surrounding neighborhood—those that are potentially affected—as a common courtesy.

Chris Bramwell stated that there may be different standards in different zones. He suggested listing the zone standards in the corresponding portion of the code. It should be decided whether the Planning Commission should be the ultimate arbiter on conditional uses. Usually the Planning Commission issues a recommendation to the City Council. When considering home occupation business, it is important to set up what is allowed, not allowed, or conditional in code in order to allow or disallow different business types without being arbitrary and capricious. With conditional uses, there may be some judgment calls, such as those that stipulate that it needs to fit in with the surrounding zone. There needs to be a notice section that stipulates what kind of notice is required before a conditional use application is brought before a public body. If the Planning Commission is making the final decision, he feels there should be a public hearing.

The Planning Commission made the following changes:

10-5-36A, the “Commission: should to be referred to as the “Planning Commission.” Similar changes should be made throughout the document, such as in 10-5-36G.

Strike “regular from 10-5-36C so that it says “at a scheduled Planning Commission meeting.”
Strike 10-5-36F-1a.

Since most of the introductory sections apply to residential and commercial zones, 10-5-36F should be standards for residential zones with a new section created for the commercial zone. For now the commercial zone section will just refer to the design guidelines.

MOTION: C. Dredge—To recommend the proposed code 10-5-36 as amended this evening regarding conditional use permits, subject to review by legal counsel. Seconded by C. Spear.

Yes - C. Anderson
 C. Dredge
 C. Driggs
 C. Miller
 C. Spear Motion passes.

5. Review/Recommendations on the Guidelines for the Design and Review of Planned Commercial Development Projects

C. Driggs stated that there have been a series of meetings with staff, the mayor and a few members of the city council. C. Driggs was at several of those meetings. That body created this document.

Chandler Goodwin stated that he wants to ensure that the conditions listed in the design guidelines are backed up by a set of standards.

The Planning Commission made the following changes:

1.1, paragraph 1:

City of Cedar Hills rather than “community”

1.1, paragraph 2:

Change “the zone states,” to “the zone description states.”

Replace “the plan” with “requirements” or the title of the document

1.1, paragraph 3

Incorporate list of potential pollutants from the conditional use document that was just approved.

1.2:

After “on the south,” add “and the southeast.”

2.1:

Change “civic use” to “public facility”

Replace “to reduce automobile dependency,” with “to encourage mixed-use development”

3.1.1

Replace “should” with “shall only include uses that are predominantly on-site sales.”

3.1.2

“shall generally have lower intensity uses than . . .”

3.1.3

Replace “building height” with “building scale”

3.2:

“numbers and descriptions are listed in the land use document”

3.2 Table:

5230 changed to P in Neighborhood Retail

5400 changed to P in Neighborhood Retail

6297 removed from Neighborhood Retail

7110 Add C in Neighborhood Retail

MOTION: C. Driggs—To table this item until April 5 at 6:00 p.m. at a joint meeting with the City Council. Seconded by C. Dredge.

Yes - C. Anderson
C. Dredge
C. Driggs
C. Miller
C. Spear Motion passes.

6. Review/Action on a Conditional Use Permit for Dollar Tree to Operate in the SC-1 Commercial Zone

Chandler Goodwin stated that Dollar Tree wants to open next week. There are some conditions in their development agreement. Sound levels have been established, traffic measures imposed, delivery hours stipulated, and there are requirements for no overnight parking, snow removal, lighting, maintenance appearance of the building and ADA compliance. The traffic patterns on the traffic study incorporate the current ingress/egress.

C, Driggs stated that the dumpster is screened on three sides with no gate. A gate should be required. He suggested a red curb or no parking sides along the west side of the building. There was a duct taped cable on the outside of the east side of the building.

MOTION: C. Spear—That we issue a conditional use permit for Dollar Tree pending that they install a gate on the garbage dumpster, resolve the wiring problem on east side of the building and make sure there is no customer parking along the west side of the building.

Seconded by C. Miller.

Yes - C. Anderson
C. Dredge
C. Driggs
C. Miller
C. Spear Motion passes.

7. Discussion on the Land Use Academy of Utah

C. Driggs stated that he would like the Commissioners to rotate the assignment of presenting of a topic from the Land Use Academy of Utah website. He will give the first presentation.

8. Committee Assignments and Reports

No reports.

ADJOURNMENT

9. This meeting was adjourned at 10:17 p.m. on a motion by C. Dredge, seconded by C. Driggs and unanimously approved.

Approved:
April 26, 2016

Colleen A. Mulvey, MMC
City Recorder